

UNITED STATES DISTRICT COURT

EASTERN DISTRICT PHILADELPHIA DIVISION

FILED

MAY 15 2019

KATE BARKMAN, Clerk
By _____ Dep. Clerk

NOBLE DREW ALI, ET AL

Plaintiff,

Vs.

DAVID KILGORE, DIRECTOR FOR THE LOS
ANGELES COUNTY CALIFORNIA
DEPARTMENT OF CHILD SUPPORT
SERVICES, ET AL
Defendant

Case No. 5:18-cv-5655

Removal To Federal Court By Virtue
Of Title 28 Statute 1441-1443 And
1446 , Superior Court of California,
Los Angeles County Case No(s).

BYO766984, BD129909, NF012997

Free National Constitution Divine
Constitution Articles 1 Through 7 And
By-laws Articles 1-7, Treaties (Peace
And Friendship Articles 20 And
Articles 21 1786-87 And 1836, Federal
Free National Constitution 1787
1786-1787, Article 6 Clause 2
(Supremacy Clause) Article 3, 4, 5, 6
1st, 4th, 5th Amendments.

NOTICE OF EMERGENCY INJUNCTION

Reversionary Statement

We, Johns-El, Steffon; Ford-El, Keniece; Barnes-Bey, CyhienRa J. - Moorish American Moslems, Free National Beings and rightful heirs. We are not at sea. We affirm and declare our right of reversion of estate and we make no claim with respect to misrepresented (name / *nom de guerre* being a title *STEFFON LESTER JOHNS, STEFFON JONES, STEFFON DAVIS; FORD KENIECE, FORD-EL ANGELIQUE KENIECE; CYHIENRA BARNES BEY, CYHIENRA J BARNES BEY* (or any other corporate construct contrived). The spurious creations of the foreign *De facto UNITED STATES Corporate, operates actors and owners.* We surrender and assign any and all 'Reversionary Interest' to the foreign UNITED STATES and subsidiaries for full 'Acquittance Discharge Settlement' and closure of our reliance Title 12 USC 95a, part 2; and we assume no liability or debt however contrived among its associates. I do not consent to stand as 'Surety' for the foreign UNITED STATES, US Corporate entity, Owner, Director or Administrators, nor any Subsidiaries or Associates at any point, moment in time. Section 7: " *Therefore we are returning the Church and Christianity back to the European Nations, as it was prepared by their forefathers for their earthly salvation,* Sections 8: " *While we, the Moorish Americans are returning to Islam, which was founded by our forefathers for our earthly and divine salvation.*" Article XLVIII Sections 7 and 8, Grand Advisor and Moderator rules and regulations of the Holy Koran of the Moorish Science Temple of America

I AM: /s/ Sheik Johns- El, S. Executive Ruler Magistrate

Sheik S. JOHNS EL, SHEIK ~~TRUSTEE~~—Authorize Representative

Free National Being, In Propria Persona:

Re: *Steffon Lester Johns/ Steffon Jones/ Steffon Davis; FORD KENIECE, FORD-EL ANGELIQUE KENIECE*

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I AM /s/ Sheik Barnes-Bey, C. Executive Ruler Magistrate

Sheik C, BARNES-BEY SHEIK ~~TRUSTEE~~—Authorize Representative

Free National Being, In Propria Persona

Re: **C.BARNES BEY, CYHIENRA BARNES- BEY ETC.**

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Statement of Facts

RE: case of BD129909

1. This case should have never been opened because the claim this case was opened on 9/22/1988, 2 weeks prior to the said child in questions birth on 10/02/1988. There was no paternity established before the default judgement order was signed by Commissioner Althea Baker, which violates the Title I-VD requirements to establish first before paternity to qualify [**See Attached California Child Support Self Service - Case Overview**]

2. The Wages and Earning Assignment order has STEFFON JONES AND STEFFON JOHNS listed in the order security number is listed for (Steffon Jones 570-19-0750 [**See Attached Wages and Earnings Assignment Order**] which in both cases.

3. Sheik Steffon Johns El is neither STEFFON JOHNS nor STEFFON JONES and it somehow has been attached to his free national being and credit history, and now is causing him injury. This is void ab initio and fraud on its face. Who was the case opened against? And why is he being held liable for this debt without a contract consented to or signed by him? It is not clear who are the correct the parties listed as the defendants and obligors.

5. Commissioner Althea Baker, who is not a judge, but signed a defective writ for the default wage earnings order and exceeded her jurisdiction to act upon and place a lien on his free national being which is a direct violation of the American Constitution of 1774 the stated all men are free and equal and if all men are equal and free the the free national constitution that has never been changed their is no need for the application of the 14th

and 15th amendment for the salvation for my people Moorish American Moslems, therefore void coram non-judice for lack of jurisdiction.

6. When claimant applied for a passport and was denied because his name was unlawfully added onto the Passport Denial list by the California Department of Health and Human Services, (See attached letter United States Department of State).

7. Claimant also has had garnishments of his earnings by the California Disbursement Unit and loss of revenue to earn for his family due to not being able to travel and work because of his passport being denied is a blatant injury which is a violation of the U.S Constitution 4th Amendment and the State Constitution of California.

RE: case of BY0766984, BYO76698X (see attached Child & Spousal Support Order)

1. Sheik Steffon Johns-El is not the father listed on Birth Certificate and there is no father listed on the birth certificate (see attached Authenticated Birth Certificate)

2. Sheik Steffon Johns-El has never been the spouse of Dezeray Davis.

3. Ms. Davis listed on the the Attached Judgement Parental Obligations & Child & Spousal Support Order a marriage to Steffon Davis who is not Sheik Steffon Johns-El. A marriage certificate should have been produced to validate her claim from the beginning of Ms. Davis's claim in her Petition for this case and until then is void ab initio and fraud on its face.

4. Sheik Steffon Johns-El never was served properly nor made aware that these suits were being brought against him in the first place which is why he never appeared for the hearings.

5. It is required according to Title 42 §654 (3) to make the parties aware of the consequences for volunteering for the IV-D program.

6. There was no paternity established before the default judgement order was signed by Commissioner Marshall Reiger which violates the Title I-VD requirements to establish first before paternity to qualify .

7. Commissioner Marshall Reiger, who is not a judge, but signed a defective writ for the default wage earnings order and exceeded her jurisdiction to act upon and place a lien on his free national being which is a direct violation of the American Constitution of 1774 the stated all men are free and equal and if all men are equal and free the the free national constitution that has never been changed their is no need for the application of the 14th and 15th amendment for the salvation for my people Moorish American Moslem's, therefore void coram non-judice for lack of jurisdiction.

8. IV-D is voluntary in nature, and claimant did not volunteer for the IV-D program.

9. The above IV-D cases are depriving claimant of an inherent and inalienable rights, privileges, and immunities secured by the federal and state constitutions. 42 U.S.C. § 1983, which provides that every "person" who, under color of any statute, ordinance, regulation, custom, or usage of any State subjects, or "causes to be subjected," any person to the deprivation of any federally protected rights, privileges, or immunities shall be civilly liable to the injured party.

10. Furthermore, Title 42 of the U.S. Codes which houses the IV-D of the Social Security Act is **not enacted into positive law and imposes no obligation upon those who do not "volunteer" or consent to be subject to it. Therefore, you will terminate the above case numbers, effective immediately, and you will also issue me a full refund within 5 business days after receipt of this document.**

RE: case of NF012997

1. This defendant named in the above mentioned case is not Sheik Steffon Johns El. 2. The order is defective in nature and language because the court did not have jurisdiction to issue the writ because the defendant named the wrong party in the initial complaint.

3. Sheik Steffon Johns-El never was served properly nor made aware that these suits were being brought against him in the first place which is why he never appeared for the hearings to be able to defend against the Petition Establish Parental Relationship and Temporary Restraining Order which is a violation of

Due Process in 4th Amendment of the Constitution of the united States of America.

4. Commissioner Sherri Carter, who is not a judge, but signed a defective writ for the default wage earnings order and exceeded her jurisdiction to act upon and place a lien on his free national being which is a direct violation of the American Constitution of 1774 the stated all men are free and equal and if all men are equal and free the the free national constitution that has never been changed their is no need for the application of the 14th and 15th amendment for the salvation for my people Moorish American Moslems, therefore void coram non-judice for lack of jurisdiction.

Argument

Demand for emergency injunction is required to protect the free national and religious rights of the claimant from being violated and deprived in the past and present by the Title IV D program administrative process issued Seizure and custody defective writs and orders. This order is in violation of the Moorish American Moslem national and religious Moorish law under the Holy Koran of Mecca as given to the claimant and all Moorish American Moslems by their most holy divine prophet Noble Drew Ali within The Moorish Science Temple of America, regency of an Asiatic Islamic State. We have our own free national constitution and by-laws. With these administrative processes my religious rights and due process has also been violated in the past and in the present and deprived under the *1st, 4th, and 5th Amendments Of The Constitution Of*

The United States Of America And Treaty Peace And Friendship 1786-87, 1836 Articles 20 And Articles 21.

An emergency injunction is required immediately because the past and present administrative processes are harmful procedures carried out in SUPERIOR COURT OF CALIFORNIA LOS ANGELES COUNTY seeks to disqualify the religious laws of which the claimant is subject to. The only law the claimant, as a free National being of his religious society is to follow the rules and regulations and edicts of the Charter deriving its authority from the Great Koran of Mohammed the inspired by the lofty laws of Allah and is issued out to every subordinate Temple by the Prophet Noble Drew Ali. Act 4 of the Divine Constitution and By-Laws state, "***These laws must be strictly preserved by all members (citizens) of the Moorish Science Temple Of America" etc, divine instructions in grand advisory, moderator rules and regulations of the Moorish Science Temple Of America Article 47 Section 13 Clause 1: "These holy and divine laws are from the prophet Noble Drew Ali the founder of the uniting of The Moorish Science Temple Of America". Section 13 Clause 1: "These laws must be strictly preserved by all members of all the temples, of The Moorish Science Temple Of America. etc"***

The current judgement requires an objection as the orders were given by a commissioner rather than a judicial officer of the court, therefore rendering the order void. The defective writ, void judgement order is given by commissioners of the SUPERIOR COURT OF CALIFORNIA LOS ANGELES COUNTY, who has seized the claimant's passport and driver's license and has caused serious pain and suffering as a result of this seizure. The current court order has blocked the claimant from traveling and therefore providing for his family.

The Inalienable rights and private property of the claimant have been seized by the defendant in response to receiving an administrative void judgement order without the required judicial confirmation and is without lawful force and effect as prescribed by the Supreme Court of The United States In Matter “Burnham V. Superior Court Of Cal., County Of Marin, 495 Us 604 - Supreme Court 1990.”

1. The order to seize funds did not arise from trial by jury under common law, therefore is without a judgment by peers and is without lawful force for it is not signed by a judicial authority, therefore void coram non-judice for lack of jurisdiction. Any signature by a person not a judge is void coram non-judice for lack.
2. Any order issued by Superior court of California Los Angeles County, a governmental agency that is part of the executive branch of state government, is akin to executive imprisonment causing the seizure of claimant's funds without the required judgment by peers is considered oppressive and lawless. The courts were established to remedy any acts that are oppressive and lawless, therefore an injunction is a required remedy against any further or future acts of executive imprisonment. *"Executive Imprisonment Has Been Considered Oppressive And Lawless Since John, At Runnymede, Pledged That No Free Man Should Be Imprisoned, Dispossessed, Outlawed, Or Exiled Save By The Judgment Of His Peers Or By The Law Of The Land. The Judges Of England Developed The Writ Of Habeas Corpus Largely To Preserve These Immunities From Executive Restraint."*
Shaughnessy V. United States Ex Rel. Mezei, 345 U.S. 206, 218-219 (1953)
(Dissenting Opinion).

3. The claimant is motioning the court to enforce the Supreme Court's opinion of due process of law requiring that seizure of Inalienable rights and private property under due process of law requires a judgment by peers arising from a trial by jury by common law.
"The words, "due process of law," were undoubtedly intended to convey the same meaning as the words, "by the law of the land," in magna charta. lord coke, in his commentary on those words, (2 inst. 50,) says they mean due process of law. The constitutions which had been adopted by the several states before the formation of the federal constitution, following the language of the great charter more closely, generally contained the words, "but by the judgment of his peers, or the law of the land." Murray's Lessee V. Hoboken Land & Improvement Co. (1856).
4. Thereby this court is bound by the supreme law under article 6 section 2 to support the Constitution of the United States of America and its laws. *"This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding."*

THE 1ST AMENDMENT PROHIBITS ANY LAW DEPRIVING FREE EXERCISE OF

RELIGION

1. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of

the people peaceably to assemble, and to motion the government for a redress of grievances. *loss of first amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury. though first amendment rights are not absolute, they may be curtailed only by interests of vital importance, the burden of proving which rests on their government. Elrod V. Burns, 96 S Ct 2673; 427 Us 347, (1976).*

THE 5TH AMENDMENT REQUIRES DUE PROCESS FOR DEPRIVATION OF LIFE AND LIBERTY

1. The 5th Amendment requires due process for deprivation of life, liberty and freedom, therefore before the defendant can not deprive the natural being of rights or access to Inalienable rights and private property the defendant must provide discovery of a judgment by peers. The defendant is required to follow due process, a judgment by peers or warrant from a court of competent jurisdiction.

The 4th Amendment Requires That Property Shall Not Be Seized Unless By A Warrant

1. The 4th Amendment Requires a warrant based upon probable cause issued by a court of competent jurisdiction and signed by a judge before the seizure of property.
2. The 4th Amendment does not allow for provisions for administrative orders from an administrative agency to seize private property with the same legal force and effect of a warrant from a judicial court.

3. Furthermore, the separation of powers doctrine prohibits an administrative agency from performing the same duties as a court of competent jurisdiction under the judicial branch of state and federal government. *“Article III, Section. 1: The judicial power of the united states shall be vested in one supreme court, and in such inferior courts as the congress may from time to time ordain and establish.”*

Equal protection of law and supremacy clause requires this court to issue injunction to dismiss the order in place supporting the unlawful seizure of unalienable rights, private property, and deprivation of their natural mother, in violation of state and united states constitutions.

1. Equal protection of law requires this court to issue an injunction because the seizure of children without a warrant are in violation of the 4th Amendment Bill of Rights and The California State Constitution, *“the right of the people to be secure in their persons, houses, papers, and effects against unreasonable seizures and searches may not be violated; and a warrant may not issue except on probable cause, supported by oath or affirmation, particularly describing the place to be searched and the persons and things to be seized, [Section 1-13]”*.
2. Equal protection of law requires this court to issue an injunction because any custody order issued by a commissioner is unlawful and a violation of search and seizure and separation of powers doctrine.
3. Equal protection of law requires this court to issue an injunction because causing the dispossession of private property without the required warrant or a judgment by

peers is a violation of due process. The judicial courts were established to remedy any acts that are in violation of due process that require a warrant or a judgment by peers when private property are separated from their natural parent(s), therefore an injunction is required to protect the private property of the claimant and remedy against any further or future acts of unlawful separation. "*Executive imprisonment has been considered oppressive and lawless since John, at Runnymede, pledged that no free man should be imprisoned, dispossessed, outlawed, or exiled save by the judgment of his peers or by the law of the land. The judges of England developed the writ of habeas corpus largely to preserve these immunities from executive restraint.*"

Shaughnessy V. United States Ex Rel. Mezei, 345 U.S. 206, 218-219 (1953)

(Dissenting Opinion).

4. Equal protection of law requires this court to issue an injunction because this court is bound by the supreme law under article 6 section 2 to support the Constitution of the United States of America and its laws. "*This Constitution, and the laws of The United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the Authority of The United States, shall be the Supreme Law of The Land; and the Judges in every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding.*"

Injunction is required to dissolve the current order under case #15fl02801 at the sacramento county family law court to return claimant's private property and put them back into claimant's legal and physical possession.

Until the defendant and court can provide discovery of the judgment by peers or a warrant, this court is bound by supremacy law under Article 6 Section 2 and must order an injunction against the defendant to protect the claimant's private property from unlawful deprivation and seizure.

EVIDENCE IN SUPPORT

1. True copy of an order is proof the private property of the claimant is being dispossessed by an administrative document and not a judgment by peers, proof of a violation of due process.

DENIAL OF THIS INJUNCTION

1. The claimant is fully confident the sufficiency of the claim has provided facts and evidence for the court to issue an immediate injunction and a denial of this injunction must be accompanied by a full clarification of evidence of a judgment of his free national peers or a warrant by a court of competent jurisdiction.
2. A dismissal of this motion for injunction requires a full clarification by this court to lawfully explain the following questions of law.
3. How can a state law not be repugnant to any Free National Constitution, when it allows the claimant's private property to be seized without a warrant issued by a court of competent jurisdiction and signed by judicial authority?
4. How can a state law not be repugnant to any Free National Constitution that is in comity with U.S.A. constitution when it allows the claimant's to be deprived of their private

property and inalienable right to travel without a trial by jury of his Free National peers resulting in a judgment by Free National Peers? This is a direct violation of the Public Statutes at large United States Constitution, Peace and Friendship Treaty, article of 1786-87 [see Certified Library of Congress Copy of the Peace and Friendship Treaty of 1786 between Morocco and the United States].

5. This court must take judicial notice of precedence set by the supreme court of the United States in matter Marbury V Madison, 5 Us (2 Cranch) 137, 174, 176, (1803) prescribed the following, "*all laws which are repugnant to the constitution are null and void*".
6. The seizure of the claimant's private property by a wages, child and spousal order issued by family court and not by a warrant from a judicial court as secured by the California State Constitution and 4th amendment of the Bill of Rights, is clearly unconstitutional and this court must stop by this injunction.
7. Thereby, for any state law allowing for the deprivation a claimant's Inalienable rights to their private property must require a judgment by peers arising from a trial by jury for it to be constitutional, or the state law is repugnant and void.
8. Inalienable rights and private property kept from claimant by a family law order issued by a family court is unconstitutional because it is not a warrant and a family court is not a court and violates the separation of powers doctrine.
9. For the reasons described in numbers 1-9 this court is without jurisdiction to dismiss this injunction.

Injunction is required immediately because the procedures in family court requires an objection filed in response to a support magistrate order that is clearly devoid of a confirmation of a family court judge therefore rendering the order incomplete and is sent to a child support agency who will begin the seizing of property that will cause serious pain and suffering arising from seizure of property until the objection is acknowledged possibly 2-3 months after the incomplete order is rendered.

1. The wages of the undersigned will be seized by the respondent in response to receiving an administrative income withholding order without the required judicial confirmation and is without legal force and effect as prescribed by the supreme court of the united states in matter "*Burnham v. Superior Court of Cal., County of Marin, 495 US 604 - Supreme Court 1990.*"
2. The income withholding order did not arise from trial by jury under common law, therefore is without a judgment by peers and is without legal force for it is not signed by a judicial authority, therefore void coram non-judice for lack of jurisdiction. any signature by a person not A JUDGE IS VOID CORAM NON-JUDICE FOR LACK. "*The proposition that the judgment of a court lacking jurisdiction is void, traces back to the English Year Books, see Bowser v. Collins, Y. B. Mich. 22 Edw. IV, f. 30, pl. 11, 145 Eng. Rep. 97 (Ex. Ch. 1482), and was made settled law by Lord Coke in Case of the Marshalsea, 10 Coke Rep. 68b, 77a, 77 Eng. Rep. 1027, 1041 (K. B. 1612). Traditionally that proposition was embodied in the phrase coram non judice, "before a person not a judge" — meaning, in effect, that the proceeding in question was not a judicial*

proceeding because lawful judicial authority was not present, and could therefore not yield a judgment. American courts invalidated, or denied recognition to, judgments that violated this common-law principle long before the Fourteenth Amendment was adopted. See, e. g., Grumon v. Raymond, 1 Conn. 40 (1814); Picquet v. Swan, 19 F. Cas. 609 (No. 11,134) (CC Mass. 1828); Dunn v. Dunn, 4 Paige 425 (N. Y. Ch. 1834); Evans v. Instine, 7 Ohio 273 (1835); Steel v. Smith, 7 Watts & Serg. 447 (Pa. 1844); Boswell's Lessee v. Otis, 9 How. 336, 350 (1850). In Pennoyer v. Neff, 95 U. S. 714, 732 (1878), we announced that the judgment of a court lacking personal jurisdiction violated the Due Process Clause of the Fourteenth Amendment as well. " Burnham v. Superior Court of Cal., County of Marin, 495 US 604 - Supreme Court 1990]

3. A income withholding order issued by the respondent, a governmental child support debt collection agency that is part of executive branch of state government or federal government is akin to executive imprisonment causing the dispossession of property without the required judgment by peers is considered oppressive and lawless. the courts were established to remedy any acts that are oppressive and lawless, therefore an injunction is a required remedy against any further or future acts of executive imprisonment. *"Executive imprisonment has been considered oppressive and lawless since John, at Runnymede, pledged that no free man should be imprisoned, dispossessed, outlawed, or exiled save by the judgment of his peers or by the law of the land. The judges of England developed the writ of habeas corpus largely to preserve*

these immunities from executive restraint." Shaughnessy v. United States ex rel. Mezei, 345 U.S. 206, 218-219 (1953) (dissenting opinion).

4. THE UNDERSIGNED CLAIMANT DEMANDS THE COURT TO ENFORCE THE SUPREME COURT'S OPINION OF DUE PROCESS OF LAW REQUIRING THAT DEPRIVATION OF PROPERTY UNDER DUE PROCESS OF LAW REQUIRES A JUDGMENT BY PEERS ARISING FROM A TRIAL BY JURY BY COMMON LAW.

"The words, "due process of law," were undoubtedly intended to convey the same meaning as the words, "by the law of the land," in Magna Charta. Lord Coke, in his commentary on those words, (2 Inst. 50,) says they mean due process of law. The constitutions which had been adopted by the several States before the formation of the federal constitution, following the language of the great charter more closely, generally contained the words, "but by the judgment of his peers, or the law of the land." Murray's Lessee v. Hoboken Land & Improvement Co. (1856).

5. **THEREBY THIS COURT IS BOUND BY THE SUPREME LAW UNDER ARTICLE 6 SECTION 2 TO SUPPORT THE UNITED STATES CONSTITUTION AND ITS LAWS.** *"This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in*

and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.”

Under section 28 U.S.C. 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on April 28, 2019.

/S/Noble Drew Ali, Sheik Johns El, S.

Grand Governor Disciple in Trust

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